

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 961 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE A.L.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

HARIJAN PALABHAI GOVINDBHAI CHAMAR

Versus

STATE OF GUJARAT

Appearance:

MR BM MANGUKIYA for Petitioner

MR JOSHI, APP, for respondents.

CORAM : MR.JUSTICE A.L.DAVE

Date of decision: 25/11/1999

ORAL JUDGEMENT

#. Rule. Mr. Joshi waives service on behalf of the respondents. By consent of parties, matter is taken up today for hearing.

#. The petitioner challenges the order of externment passed by Sub-Divisional Magistrate, Limbdi on 30th August, 1999, externing the petitioner from Surendranagar, Rajkot, Bhavnagar and Ahmedabad in exercise of powers under Section 56(b) of the Bombay

Police Act.

#. It is stated at the Bar by Mr. Mangukia, learned advocate for the petitioner that, as contended in paragraph 3.4, the petitioner had preferred an appeal under Section 60 of the Bombay Police Act, which is registered as Appeal No.126 of 1999. The appeal has been heard on 8th October, 1999 and the Appellate Authority has not rendered the judgment till date, which has put the petitioner to a jeopardy.

#. Mr. Joshi, learned Additional Public Prosecutor, states that he will have to verify and confirm if the matter is finally heard and if the decision is yet not rendered. However, the statement made by the petitioner on oath is not controverted. In this view of the matter, the ends of justice would be met if a direction is given to the Appellate Authority to render a judgment on merits within one week from the date of receipt of order of this Court, if not already rendered. Order accordingly.

#. In view of the above direction, Mr. Mangukia does not press this petition on merits. The petition stands dismissed as having not pressed. Rule is discharged. Direct service permitted.

[A.L. DAVE, J.]

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